

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA and JANET NAPOLITANO,
*in her official capacity as President of the
University of California,*

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY and ELAINE
DUKE, *in her official capacity as Acting
Secretary of the Department of Homeland
Security,*

Defendants.

CASE NO. 17-CV-05211-WHA

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PROVISIONAL RELIEF**

STATE OF CALIFORNIA, STATE OF
MAINE, STATE OF MARYLAND, and
STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, ELAINE DUKE, *in her official
capacity as Acting Secretary of the Department
of Homeland Security,* and the UNITED
STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,
Plaintiff,

v.

DONALD J. TRUMP, President of the United
States, in his official capacity, ELAINE C.
DUKE, in her official capacity, and the
UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ
AVILA, SAUL JIMENEZ SUAREZ,
VIRIDIANA CHABOLLA MENDOZA,
NORMA RAMIREZ, and JIRAYUT
LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD
J. TRUMP, *in his official capacity as President
of the United States*, U.S. DEPARTMENT OF
HOMELAND SECURITY, and ELAINE
DUKE, *in her official capacity as Acting
Secretary of Homeland Security*,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and
SERVICE EMPLOYEES
INTERNATIONAL UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity
as President of the United States*; JEFFERSON
BEAUREGARD SESSIONS, *in his official
capacity as Attorney General of the United
States*; ELAINE DUKE, *in her official
capacity as Acting Secretary of Homeland
Security*; and U.S. DEPARTMENT OF
HOMELAND SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 Having considered Plaintiffs' Motion For Provisional Relief, ECF No. ____ ("Plaintiffs'
2 Motion"), IT IS HEREBY ORDERED THAT:

- 3 1) Plaintiffs have demonstrated that (a) they are likely to succeed on the merits of their
4 claim under the Administrative Procedure Act that the September 5, 2017 memorandum
5 rescinding the Deferred Action for Childhood Arrivals ("DACA") program ("the
6 Rescission") should be set aside, (b) the Rescission is causing and will cause irreparable
7 harm absent provisional relief, and (c) the balance of equities and the public interest
8 weigh heavily in favor of provisional relief in the form of returning to the status quo
9 existing prior to the Rescission. Plaintiffs' Motion is therefore granted.
- 10 2) Defendants are enjoined from implementing the Rescission, or any portion thereof.
- 11 3) Defendants are directed to immediately return the administration of the DACA program
12 to the state of its existence prior to the Rescission, using the same means, methods and
13 policies for considering and granting deferred action requests and requests for advance
14 parole as were utilized before the Rescission, including without limitation:
- 15 a. restoration of eligibility for initial requests for deferred action and associated
 - 16 employment authorization;
 - 17 b. restoration of eligibility for renewals for deferred action and associated
 - 18 employment authorization;
 - 19 c. restoration of eligibility for requests for advance parole; and
 - 20 d. restoration of its policies relating to the use of information provided by DACA
 - 21 applicants and their employers.

22
23 **SO ORDERED**, this ____ day of _____, 2017.

24
25
26 _____
Honorable William H. Alsup
United States District Judge